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PATENT & TRADEMARK OFFICE

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Date: July 2, 2002
Signature: <i>Naomi Serbantez</i> (Naomi Serbantez)

Docket No.: HO-P02393US0  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Timothy E. Grib, et al.

Application No.: 09/964,232

Filed: September 26, 2001

For: METHOD AND APPARATUS FOR  
PERFORMANCE MEASUREMENT OF  
DIFFERENT NETWORK ROUTES  
BETWEEN DEVICES

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Technology Center 2100

Group Art Unit: 2152

Examiner: Not Yet Assigned

### INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned.

A copy of each reference on PTO/SB/08 is attached.

A concise explanation of relevance of the items listed on form PTO/SB/08 is:

not given

given for each listed item

given for only non-English language listed items

in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references

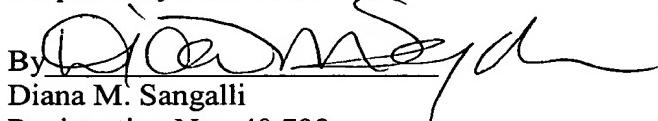
While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02393US0/10202378. A duplicate copy of this paper is enclosed.

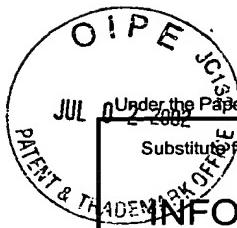
Dated: July 2, 2002

Respectfully submitted,

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

2

Complete If Known

Application Number	09/964,232
Filing Date	September 26, 2001
First Named Inventor	Timothy E. Grib, et al
Art Unit	2152
Examiner Name	Not Yet Assigned

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## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AA					

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>3</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
BA						

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

## OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Douglas Comer, Inter Networking with TCP/IP, 4 <sup>th</sup> Ed., 2000, Ch. 9 entitled "Internet Protocol: Error And Control Messages (ICMP), Pages 129-147, Pages 403-411 and Library of Congress Cataloging-in-Publication Data	
	CB	Brochure – End-To-End IP Service Level Verification by Brix Networks "Do You Measure Up?" (2000)	
	CC	Leslie Lamport , "Time, Clocks, and the Ordering of Events in a Distributed System," Communications of the ACM, July 1978, Vol. 21, No. 7, pp. 558-565	
	CD	David L. Mills, "Improved Algorithms for Synchronizing Computer Network Clocks," Reprint from IEEE Trans. Networks, June 1995, 11 pages	
	CE	David L. Mills, "Adaptive Hybrid Clock Discipline Algorithm for Network Timer Protocol," Reprint from IEEE/ACM Trans. Networking, Oct. 1998, Vol. 6 No. 5, pp. 505-14	
	CF	David L. Mills, et al., "Internet Timekeeping Around the Globe," Reprint from Proc. Precision Time and Interval (PTTI) Applications and Planning Meeting, Long Beach, CA, Dec. 1997, pp. 365-371	
	CG	David L. Mills, "The Network Computer as Precision Timekeeper," Reprint from Proc. Precision Time and Interval (PTTI) Applications and Planning Meeting, Reston, VA, Dec. 1996, pp. 96-108	
	CH	David L. Mills, "Precision Synchronization of Computer Network Clocks," Reprint from ACM Computer Communication Review, April 1994, 16 pages	
	CI	David L. Mills, "Algorithms for Synchronizing Network Clocks," RFC 956, Sept. 1985, 26 pages	
	CJ	David L. Mills, "Experiments in Network Clock Synchronization," RFC 957, Sept. 1985, 27 pages	
	CK	David L. Mills, "Measured Performance of the Network Time Protocol in the Internet System," RFC 1128 Oct. 1989, 20 pages	
	CL	David L. Mills, "Internet Time Synchronization: the Network Time Protocol," RFC 1129, Oct. 1989, 29 pages	
	CM	David L. Mills, "Network Time Protocol (Version 3) Specification, Implementation and Analysis", RFC 1305, March 1992, 120 pages	



PTO/SB/08B (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449B/PTO				C mplete if Known	
				Application Number	09/964,232
				Filing Date	September 26, 2001
				First Named Inventor	Timothy E. Grib, et al.
				Group Art Unit	2152
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	HO-P02393US0
	CN	David L. Mills, "Simple Network Time Protocol (SNTP) Version 4 for IPv4,Ipv6 and OSI," RFC 2030, Oct. 1996, 18 pages			

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Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.